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EXPRESS MAIL NO.: EL709322364US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

A

UTILITY PATENT APPLICATION TRANSMITTAL FORM
(only for new nonprovisional applications under 37 CFR 1.53(b))

Box Seq

ASSISTANT COMMISSIONER FOR PATENTS

Washington, D.C. 20231

BOX: PATENT APPLICATION



SIR:

Transmitted herewith for filing is the patent application (including Specification, Claims, and Abstract, 50 pages) of:

Inventors : **Steven V. Beer and David W. Bauer**For : **OOMYCETE-RESISTANT TRANSGENIC PLANTS BY VIRTUE OF
PATHOGEN-INDUCED EXPRESSION OF A HETEROLOGOUS
HYPERSENSITIVE RESPONSE ELICITOR**

***If a CONTINUING APPLICATION, please mark where appropriate and supply the requisite information below and in a preliminary amendment:*

continuation divisional Continuation-In-Part (CIP)
of prior application Serial No. _____

Prior application information: Examiner :
Art Unit :

Enclosed are:

5 sheets of Formal drawings.

Signed Combined Declaration and Power of Attorney (____ pages).

Copy of signed Combined Declaration and Power of Attorney (____ pages) from a prior application (1.63(d)) (for continuation/divisional).

Signed statement deleting inventor(s) named in prior application (____ pages) (1.63(d)(2) and 1.33(b)).

Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied herewith, is considered as being part of the disclosure of the enclosed application and is hereby incorporated by reference therein.

Assignment (____ pages) of the invention to _____.

Assignment Transmittal Letter.

Certified copy of a foreign priority document.

Associate power of attorney.

Applicants claim small entity status. (See 37 CFR 1.27.)

[] Preliminary Amendment (____ pages).

[X] Information Disclosure Statement, form PTO-1449 (1 page) and 4 references.

[X] **UNSIGNED** Combined Declaration and Power of Attorney (2 pages).

[X] Statement in Accordance with 37 CFR § 1.821(f) and computer readable 3.5" Diskette.

[X] Sequence Listing (15 pages).

[X] A self-addressed, prepaid postcard acknowledging receipt.

[] Other:

The Filing fee has been calculated as shown below:

| (Col. 1) | | (Col. 2) | SMALL ENTITY | LARGE ENTITY |
|--|-----------|-----------|--------------|--------------|
| FOR: | NO. FILED | NO. EXTRA | RATE | RATE |
| BASIC FEE | XXXXXXXX | XXXXXXX | XXXX | \$355 |
| TOTAL CLAIMS | 72 - 20 = | 52 | x 9 = | \$468 |
| INDEP CLAIMS | 1 - 3 = | 0 | x 40 = | \$0 |
| [] MULTIPLE DEPENDENT CLAIM PRESENTED | | | x135 = | \$ |
| | | | TOTAL | \$823 |

*If the Total Claims are less than 20 and Indep. Claims are less than 3, enter "0" in Col. 2

[] Please charge my Deposit Account No. _____ in the amount of \$ _____. **A duplicate copy of this sheet is enclosed.**

[X] A check in the amount of **\$823.00** to cover the filing fee is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1138. **A duplicate copy of this sheet is enclosed.**

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EXPRESS MAIL CERTIFICATE

DOCKET NO.: **19603/2501 (CRF D-2375A)**

APPLICANTS: **Steven V. Beer and David W. Bauer**

TITLE: **OOMYCETE-RESISTANT TRANSGENIC PLANTS BY
VIRTUE OF PATHOGEN-INDUCED EXPRESSION OF A
HETEROLOGOUS HYPERSENSITIVE RESPONSE
ELICITOR**

Certificate is attached to the **Utility Patent Application Transmittal Form (2 pages)** of the above-named application.

EXPRESS MAIL NUMBER: **EL709322364US**

DATE OF DEPOSIT: **January 26, 2001**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, BOX: PATENT APPLICATION.

Wendy L. Harrold

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mailing paper or fee)**



**(Signature of person mailing paper
or fee)**